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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Nam-Jeong LEE et al.

Serial No: 10/689,511

Group Art Unit: 1714

Confirmation No. 8657

Filed: October 21, 2003

Examiner: Patrick D. Niland

For: OVERCOATING COMPOSITION AND ORGANIC PHOTORECEPTOR USING THE SAME

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313

Sir:

In response to the Office Action mailed March 23, 2006, in the above-identified application, setting a one-month shortened period for response set to expire on April 23, 2006, Applicants respectfully submit the following remarks.

I. Provisional Election of Claims Pursuant to 37 C.F.R. § 1.146

Applicants elect to prosecute claims 1-8 in response to the restriction requirement set forth in the Office Action.

II. Traversal

Applicants submit that the restriction requirement is not well founded. A careful review of the subject application reveals that the various alleged inventions are so closely related as to not require separate fields of search. Accordingly, neither Applicants nor the U.S. Patent and Trademark Office should be put through the trouble and expense entailed in multiple filing and prosecution. In addition, Applicants submit that the public-at-large should not be required to obtain and study several patents in order to have available all of the issued patent claims covering the invention.

Further, the making of a restriction is not mandatory in all instances where it is possible to do so. Rather, the Examiner may use his/her discretion and decline to impose such a

requirement where circumstances warrant. It is believed that such is the case in the subject application. Indeed, the stated rationales for the imposition of the restriction requirement (that these claims are drawn to car coatings) is inapposite. Therefore, Applicants request that the Examiner reconsider and withdraw the requirement set forth in the Office Action.

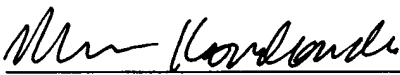
Still further, even if the Examiner declines to exercise his/her discretion to withdraw the restriction requirement in its entirety, Applicants request that the Examiner reconsider the characterization of the claims making up the alleged three inventions presented in the subject application. For example, alleged invention I is drawn to an overcoating composition while alleged invention III includes various claims drawn to an organic photoreceptor including the overcoating composition (claims 9-19) and an organophotoreceptor including the overcoating composition (claims 29-41). It is respectfully submitted that these claims are so closely related as to not require separate fields of search. Therefore, Applicants request that the Examiner reconsider and modify the restriction requirement set forth in the above-noted Office Action and group together claims 1-8, 9-19, and 29-41.

Applicant further submits that the instant application is in condition for allowance. Favorable consideration and early passage to issue are requested.

Respectfully submitted,

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Date: April 20, 2006

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